

Message Text

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PAGE 01 BRUSSE 08380 01 OF 02 251957Z

64

ACTION EUR-12

INFO OCT-01 ISO-00 FEA-01 AEC-05 AID-05 CEA-01 CIAE-00

CIEP-01 COME-00 DODE-00 EB-04 FPC-01 H-01 INR-05

INT-05 L-01 NSAE-00 NSC-05 OMB-01 PM-03 RSC-01 SAM-01

OES-02 SP-02 SS-15 STR-01 TRSE-00 FRB-01 PA-01

USIA-06 PRS-01 EA-06 /089 W

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P 231927Z OCT 74

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC PRIORITY 2302

USMISSION OECD PARIS PRIORITY

LIMITED OFFICIAL USE SECTION 1 OF 2 BRUSSELS 8380

E.O. 11652: N/A

TAGS: ENRG

SUBJECT: IEP: DRAFT DECISION OF THE OECD COUNCIL

1. ECG SECRETARIAT IN BELGIAN FOREIGN MINISTRY HAS GIVEN THE
EMBASSY THE TEXT DATED OCTOBER 24TH, 1974, OF THE DRAFT
"DECISION OF THE COUNCIL ESTABLISHING AN INTERNATIONAL ENERGY
AGENCY OF THE ORGANIZATION." COPIES HAVE BEEN DISTRIBUTED
SIMILARLY BY BELGIANS TO EMBASSIES OR MISSION OF 12 ECG GOVTS
PLUS 6 OTHER OECD MEMBERS WHICH ATTENDED OCT 22 MEETING IN
BRUSSELS. DAVIGNON VISITED PARIS OCT 24 AND PRESUMABLY LEFT
TEXT WITH OECD SECGEN. TEXT FOLLOWS:

QUOTE: THE COUNCIL,

HAVING REGARD TO THE CONVENTION ON THE ORGANISATION FOR
ECONOMIC CO-OPERATION AND DEVELOPMENT OF 14TH DECEMBER, 1960
(HEREINAFTER CALLED THE "CONVENTION") AND, IN PARTICULAR,
ARTICLES 5(A), 6, 9, 12, 13 AND 20 OF THE CONVENTION;

HAVING REGARD TO THE FINANCIAL REGULATIONS OF THE
ORGANISATION AND, IN PARTICULAR, TO ARTICLES 5, 10, 14(B)
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PAGE 02 BRUSSE 08380 01 OF 02 251957Z

AND 16(B) THEREOF;

HAVING REGARD TO THE REGULATIONS, RULES AND
INSTRUCTIONS FOR COUNCIL EXPERTS AND CONSULTATANTS OF THE
ORGANISATION;

NOTING THAT THE GOVERNMENTS OF CERTAIN MEMBER COUNTRIES
HAVE DECLARED THEIR INTENTION TO ENTER INTO A SEPARATE
AGREEMENT FOR AN INTERNATIONAL ENERGY PROGRAM WHICH IS
SET FORTH IN ANNEX I TO THE NOTE BY THE SECRETARY-GENERAL
OF BRACKETS C(74)END BRACKETS CIRCULATED FOR INFORMATION, AND
WHICH IS HEREINAFTER REFERRED TO AS THE "AGREEMENT";

HAVING REGARD TO THE RECOMMENDATION OF THE COUNCIL
OF 29TH JUNE, 1971 ON OIL STOCKPILING BEGIN BRACKETS C(71)
113(FINAL) END BRACKETS;

HAVING REGARD TO THE DECISION OF THE COUNCIL OF
14TH NOVEMBER 1972 ON EMERGENCY PLANS AND MEASURES AND
APPORTIONMENT OF OIL SUPPLIES IN AN EMERGENCY IN THE OECD
EUROPEAN AREA BEGIN BRACKETS C(72)210(FINAL) END BRACKETS;

HAVING REGARD TO THE NOTE BY THE SECRETARY-GENERAL
OF [REDACTED] ON THE LONG TERM ENERGY ASSESSMENT
BEGIN BRACKETS C(74) END BRACKETS;

HAVING REGARD TO THE RECOMMENDATION OF THE COUNCIL
OF 10TH JANUARY, 1974 ON THE SUPPLY OF BUNKER FUELS FOR
SHIPPING AND FISHING BEGIN BRACKETS C(73)257(FINAL) END BRACKETS;

HAVING REGARD TO THE RECOMMENDATION OF THE COUNCIL
OF 10TH JANUARY, 1974 ON THE SUPPLY OF FUEL FOR CIVIL
AIRCRAFT BEGIN BRACKETS C(73)258(FINAL)END BRACKETS;

HAVING REGARD TO THE REPORT BY THE SECRETARY-GENERAL
OF NOVEMBER, 1974 CONCERNING THE INTERNATIONAL
ENERGY PROGRAM BEGIN BRACKETS C(74) END BRACKETS;
DECIDES:

ARTICLE 1

AN INTERNATIONAL ENERGY AGENCY (HEREINAFTER CALLED THE
"AGENCY") IS HEREBY ESTABLISHED AS AN AUTONOMOUS BODY WITHIN
THE FRAMEWORK OF THE ORGANISATION.

ARTICLE 2

PARTICIPATING COUNTRIES OF THE AGENCY ARE:
(A) BELGIUM, CANADA, DENMARK, GERMANY, IRELAND, ITALY,
JAPAN, LUXEMBOURG, THE NETHERLANDS, NORWAY, THE UNITED
KINGDOM AND THE UNITED STATES;
(B) OTHER MEMBER COUNTRIES OF THE ORGANISATION WHICH
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PAGE 03 BRUSSE 08380 01 OF 02 251957Z

ACCEDE TO THIS DECISION AND TO THE AGREEMENT IN ACCORDANCE
WITH ITS TERMS.

ARTICLE 3

THIS DECISION WILL BE OPEN FOR ACCESSION BY THE
EUROPEAN COMMUNITIES UPON THEIR ACCESSION TO THE AGREEMENT
IN ACCORDANCE WITH ITS TERMS.

ARTICLE 4

A GOVERNING BOARD COMPOSED OF ALL THE PARTICIPATING

COUNTRIES OF THE AGENCY SHALL BE THE BODY FROM WHICH ALL ACTS OF THE AGENCY DERIVE, AND SHALL HAVE THE POWER TO MAKE RECOMMENDATIONS AND TO TAKE DECISIONS WHICH SHALL, EXCEPT AS OTHERWISE PROVIDED, BE BINDING UPON PARTICIPATING COUNTRIES, AND TO DELEGATE ITS POWERS TO OTHER ORGANS OF THE AGENCY. THE GOVERNING BOARD SHALL ADOPT ITS OWN RULES OF PROCEDURE AND VOTING RULES.

ARTICLE 5

THE GOVERNING BOARD SHALL ESTABLISH SUCH ORGANS AND PROCEDURES AS MAY BE REQUIRED FOR THE PROPER FUNCTIONING OF THE AGENCY.

ARTICLE 6

(A) THE GOVERNING BOARD SHALL DECIDE UPON AND CARRY OUT AN INTERNATIONAL ENERGY PROGRAM FOR CO-OPERATION IN THE FIELD OF ENERGY, THE AIMS OF WHICH ARE:

- (I) DEVELOPMENT OF A COMMON LEVEL OF EMERGENCY SELF-SUFFICIENCY IN OIL SUPPLIES;
- (II) ESTABLISHMENT OF COMMON DEMAND RESTRAINT MEASURES IN AN EMERGENCY;
- (III) ESTABLISHMENT AND IMPLEMENTATION OF MEASURES FOR THE ALLOCATION OF AVAILABLE OIL IN TIME OF EMERGENCY;
- (IV) DEVELOPMENT OF A SYSTEM OF INFORMATION ON THE INTERNATIONAL OIL MARKET AND A FRAMEWORK FOR CONSULTATION AND CO-OPERATION WITH INTERNATIONAL OIL COMPANIES;
- (V) DEVELOPMENT AND IMPLEMENTATION OF A LONG-TERM CO-OPERATION PROGRAMME TO REDUCE DEPENDENCE ON IMPORTED OIL, INCLUDING: CONSERVATION OF ENERGY, DEVELOPMENT OF ALTERNATIVE SOURCES OF ENERGY, ENERGY RESEARCH AND DEVELOPMENT, AND SUPPLY OF NATURAL AND ENRICHED URANIUM;
- (VI) PROMOTION OF CO-OPERATIVE RELATIONS WITH OIL

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PAGE 04 BRUSSE 08380 01 OF 02 251957Z

PRODUCING COUNTRIES AND WITH OTHER OIL CONSUMING COUNTRIES, PARTICULARLY THOSE OF THE DEVELOPING WORLD.

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PAGE 01 BRUSSE 08380 02 OF 02 252024Z

64

ACTION EUR-12

INFO OCT-01 ISO-00 FEA-01 AEC-05 AID-05 CEA-01 CIAE-00

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OES-02 SP-02 SS-15 STR-01 TRSE-00 FRB-01 PA-01

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P 251927Z OCT 74

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LIMITED OFFICIAL USE SECTION 2 OF 2 BRUSSELS 8380

THE GOVERNING BOARD MAY ADOPT OTHER MEASURES OF CO-OPERATION
IN THE ENERGY FIELD WHICH IT MAY DEEM NECESSARY AND OTHERWISE
AMEND THE PROGRAM BY UNANIMITY, TAKING INTO ACCOUNT THE
CONSTITUTIONAL PROCEDURES OF THE PARTICIPATING COUNTRIES.

(B) UPON THE PROPOSAL OF THE GOVERNING BOARD OF THE AGENCY,
THE COUNCIL MAY CONFER ADDITIONAL RESPONSIBILITIES UPON THE
AGENCY.

ARTICLE 7

(A) THE ORGANS OF THE AGENCY SHALL BE ASSISTED BY AN
EXECUTIVE DIRECTOR AND SUCH STAFF AS IS NECESSARY WHO SHALL
FORM PART OF THE SECRETARIAT OF THE ORGANISATION AND SHO SHALL,
IN PERFORMING THEIR DUTIES UNDER THE INTERNATIONAL ENERGY
PROGRAM, BE RESPONSIBLE TO AND REPORT TO THE ORGANS OF THE
AGENCY.

(B) THE EXECUTIVE DIRECTOR SHALL BE APPOINTED BY THE
GOVERNING BOARD ON THE PROPOSAL OR WITH CONCURRENCE OF THE
SECRETARY-GENERAL.

(C) CONSULTATANTS TO THE AGENCY MAY BE APPOINTED FOR A PERIOD
EXCEEDING THAT PROVIDED IN REGULATION 2(B) OF THE REGULATIONS
AND RULES FOR COUNCIL EXPERTS AND CONSULTANTS OF THE
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PAGE 02 BRUSSE 08380 02 OF 02 252024Z

ORGANISATION.

ARTICLE 8

THE GOVERNING BOARD SHALL REPORT ANNUALLY TO THE
COUNCIL ON THE ACTIVITIES OF THE AGENCY. THE GOVERNING
BOARD SHALL SUBMIT, UPON THE REQUEST OF THE COUNCIL OR
UPON ITS OWN INITIATIVE, OTHER COMMUNICATIONS TO THE

COUNCIL.

ARTICLE 9

THE AGENCY SHALL CO-OPERATE WITH OTHER COMPETENT BODIES OF THE ORGANISATION IN AREAS OF COMMON INTEREST. THESE BODIES AND THE AGENCY SHALL CONSULT WITH ONE ANOTHER REGARDING THEIR RESPECTIVE ACTIVITIES.

ARTICLE 10

(A) THE BUDGET OF THE AGENCY SHALL FORM PART OF THE BUDGET OF THE ORGANISATION AND EXPENDITURE OF THE AGENCY SHALL BE CHARGED AGAINST THE APPROPRIATIONS AUTHORISED FOR IT UNDER PART II OF THE BUDGET WHICH SHALL INCLUDE APPROPRIATE BUDGET ESTIMATES AND PROVISIONS FOR ALL EXPENDITURE NECESSARY FOR THE OPERATION OF THE AGENCY. EACH PARTICIPATING COUNTRY'S SHARE IN FINANCING SUCH EXPENDITURE SHALL BE FIXED BY THE GOVERNING BOARD. SPECIAL EXPENSES INCURRED BY THE AGENCY IN CONNECTION WITH ACTIVITIES REFERRED TO IN ARTICLE 11 SHALL BE SHARED BY THE PARTICIPATING COUNTRIES IN SUCH PROPORTIONS AS SHALL BE DETERMINED BY UNANIMOUS AGREEMENT OF THOSE COUNTRIES. THE GOVERNING BOARD SHALL DESIGNATE AN ORGAN OF THE AGENCY TO ADVISE THE GOVERNING BOARD AS REQUIRED ON THE FINANCIAL ADMINISTRATION OF THE AGENCY AND TO GIVE ITS OPINION ON THE ANNUAL AND OTHER BUDGET PROPOSALS SUBMITTED TO THE GOVERNING BOARD.

(B) THE GOVERNING BOARD SHALL SUBMIT THE ANNUAL AND OTHER BUDGET PROPOSALS OF THE AGENCY TO THE COUNCIL FOR ADOPTION BY AGREEMENT OF THOSE PARTICIPATING COUNTRIES OF THE AGENCY WHICH VOTED IN THE GOVERNING BOARD TO SUBMIT THE PROPOSALS TO THE COUNCIL.

(C) NOTWITHSTANDING THE PROVISIONS OF ARTICLE 14(B) OF THE FINANCIAL REGULATIONS, THE GOVERNING BOARD MAY ACCEPT VOLUNTARY CONTRIBUTIONS AND GRANTS AS WELL AS PAYMENTS FOR SERVICES RENDERED BY THE AGENCY.

(D) NOTWITHSTANDING THE PROVISIONS OF ARTICLE 16(B) OF THE FINANCIAL REGULATIONS OF THE ORGANISATION, APPROPRIATIONS IN RESPECT OF THE SPECIAL ACTIVITIES REFERRED TO IN LIMITED OFFICIAL USE

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PAGE 03 BRUSSE 08380 02 OF 02 252024Z

ARTICLE 11 OF THIS DECISION, FOR WHICH NO COMMITMENT HAS BEEN ENTERED INTO BEFORE THE END OF THE FINANCIAL YEAR FOR WHICH THEY WERE APPROPRIATED, SHALL BE AUTOMATICALLY CARRIED FORWARD TO THE BUDGET FOR THE ENSUING YEAR.

ARTICLE 11

ANY TWO OR MORE PARTICIPATING COUNTRIES MAY DECIDE TO CARRY OUT WITHIN THE SCOPE OF THE PROGRAM SPECIAL ACTIVITIES, OTHER THAN ACTIVITIES WHICH ARE REQUIRED TO BE CARRIED OUT BY ALL PARTICIPATING COUNTRIES UNDER THE AGREEMENT. PARTICIPATING COUNTRIES WHO DO NOT WISH TO TAKE PART IN SUCH ACTIVITIES SHALL ABSTAIN FROM TAKING PART IN SUCH DECISIONS AND SHALL NOT BE BOUND BY THEM. PARTICIPATING COUNTRIES CARRYING OUT SUCH ACTIVITIES SHALL KEEP THE

GOVERNING BOARD INFORMED THEROF.

ARTICLE 12

IN ORDER TO ACHIEVE THE OBJECTIVES OF THE PROGRAM,
THE AGENCY MAY ESTABLISH APPROPRIATE RELATIONSHIPS WITH
COUNTRIES WHICH ARE NOT PARTICIPATING COUNTRIES,
INTERNATIONAL ORGANISATIONS (WHETHER GOVERNMENTAL OR NON-
GOVERNMENTAL), PRIVATE ENTITIES AND INDIVIDUALS.

ARTICLE 13

(A) A PARTICIPATING COUNTRY FOR WHICH THE AGREEMENT SHALL
HAVE CEASED TO BE IN FORCE OR TO APPLY PROVISIONALLY SHALL
BE DEEMED TO HAVE WITHDRAWN FROM THE AGENCY.
(B) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (A), A
COUNTRY WHOSE GOVERNMENT SHALL HAVE SIGNED THE AGREEMENT
MAY, UPON WRITTEN NOTICE TO THE GOVERNING BOARD AND TO
THE GOVERNMENT OF BELGIUM TO THE EFFECT THAT THE ADOPTION
OF THE PROGRAM BY THE GOVERNING BOARD IS BINDING ON IT
PURSUANT TO THIS DECISION, REMAIN A PARTICIPATING COUNTRY
OF THE AGENCY AFTER THE AGREEMENT SHALL HAVE CEASED TO
APPLY FOR IT, UNLESS THE GOVERNING BOARD DECIDES OTHERWISE.
SUCH A COUNTRY SHALL HAVE THE SAME OBLIGATIONS AND THE
SAME RIGHTS AS A PARTICIPATING COUNTRY OF THE AGENCY FOR
WHICH THE AGREEMENT SHALL HAVE ENTERED DEFINITIVELY INTO
FORCE.

ARTICLE 14

THE PRESENT DECISION SHALL ENTER INTO FORCE ON
TH NOVEMBER, 1974. END QUOTE RENNER

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Message Attributes

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